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January 16, 2015

Via ECF & Facsimile

The Honorable James C. Francis  
United States Magistrate Judge  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 18D  
New York, NY 10007

Re: *United States ex rel. Kester v. Novartis Pharmaceuticals Corp. et al.*, 1:11-cv-08196-CM

Dear Judge Francis:

I write on behalf of CVS Health Corporation ("CVS") regarding CVS's pending letter seeking a protective order to prevent Relator from producing irrelevant documents from the intervened case in response to CVS's discovery requests in the non-intervened case. (Dkt. 320). CVS and Relator have tentatively reached an agreement which the parties believe should resolve the dispute. So as to avoid burdening the Court with an issue near resolution, CVS respectfully withdraws its January 12, 2015 letter, subject to renewal in the event that the parties are unable to come to a final agreement.

Respectfully,



Amanda M. MacDonald